

## **REMARKS**

### **Restriction Requirement and Election of Invention**

Pursuant to the restriction requirement mailed Oct. 14, 2008, Applicants hereby elect without traverse, the claims of Group III: claims 23-30 and 32-34, drawn to a photopolymerizable dental material comprising a filler, thiol monomers, vinyl monomers and an initiator. Claims 1-22, 31, and 35-43 to non-elected inventions have been canceled. With regard to cancellation of non-elected claims, a review of inventorship has resulted in no change of inventorship for the instant application. A petition for a two months extension of time and appropriate fees are being filed concurrently with this amendment and response to the restriction requirement.

### **Claim Amendments**

Applicants respectfully request entry of this amendment and response to the restriction requirement mailed Oct. 14, 2008.

Claims 24 and 25 have been amended; support for amended to claims can be found in US 2007/0082966, for example, in paragraphs 8 and 31. Claims 26-28 have been canceled due to amendment of claims 24 and 25. Claim 44 has been added. Claim 44 does not consist of new matter. Support can be found, for example in paragraphs 35, 47 and 59 and Table 1. No new matter has been added. Upon entry of this amendment, claims 23-25, 29-30, 32-34 and 44 will be pending in the application.

### **Summary**

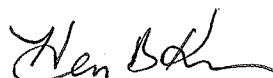
A petition for a two months' extension of time accompanies this filing. However, the Commissioner is hereby authorized to charge any deficiencies or credit any overpayment with respect to this patent application to deposit account number 13-2725.

If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300

Date: January 9, 2009



---

Heather B. Kroona  
Reg. No. 59,572

